

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
TELECOM BUSINESS SOLUTION, LLC, <i>et al.</i> ,	:	Civil Action No.: 1:22-cv-01761
	:	
Petitioners,	:	Judge Lewis A. Kaplan
	:	
v.	:	Magistrate Judge Robert W.
	:	Lehrburger
TERRA TOWERS CORP., <i>et al.</i> ,	:	
	:	
Respondents.	:	
-----	X	

**MOTION TO HOLD RESPONDENTS IN CIVIL CONTEMPT AND  
FOR CONTEMPT SANCTIONS**

Telecom Business Solution, LLC and LATAM Towers, LLC (collectively, “Peppertree”) and AMLQ Holdings (Cay) Ltd. (“AMLQ,” and together with Peppertree, “Peppertree/AMLQ”), jointly through the undersigned counsel, move this Court to hold Respondents Terra Towers Corp. and TBS Management, S.A. (collectively, “Respondents”) in contempt of Court for their willful failure to abide by this Court’s January 18, 2023 Order, ECF No. 124, which confirmed the Tribunal’s First Partial Final Award (“FPFA”), and related Judgment, ECF No. 125. Specifically, Respondents have failed and refused to perform their obligations under the Order, which confirmed in full the FPFA issued on February 24, 2022. Respondents should therefore be held in civil contempt and be required to immediately perform their obligations under the FPFA or be coercively sanctioned for their contempt by being required to pay an initial fine of \$2,500 per day, followed by an increase in daily sanctions of \$1,000 per day (for a total of \$3,500 per day, then \$4,500 per day, and so on), following each ten calendar days of further non-compliance, or otherwise in a manner this Court deems appropriate to ensure compliance. The grounds for this motion are set forth more fully in the attached memorandum of law.

Dated: March 14, 2023

Respectfully submitted,

/s/ Michael N. Ungar

Michael N. Ungar  
(admitted *pro hac vice*)  
Katherine M. Poldneff  
Gregory C. Djordjevic  
(admitted *pro hac vice*)  
**ULMER & BERNE LLP**  
1660 West 2nd Street, Suite 1100  
Cleveland, Ohio 44113-1406  
Phone: (216) 583-7000  
Fax: (216) 583-7001  
mungar@ulmer.com  
kpoldneff@ulmer.com  
gdjordjevic@ulmer.com

David A. Landman  
**ULMER & BERNE LLP**  
275 Madison Avenue, Suite 2002  
New York, New York 10016-1138  
Phone: (917) 262-0470  
Fax: (917) 262-0480  
dlandman@ulmer.com

*Counsel for Petitioners Telecom Business  
Solution, LLC and LATAM Towers, LLC*

/s/ Gregg L. Weiner

Gregg L. Weiner  
Ethan Fitzgerald  
**ROPES & GRAY LLP**  
1211 Avenue of the Americas  
New York, New York 10036-8704  
Phone: (212) 596-9000  
Fax: (212) 596-9090  
gregg.weiner@ropesgray.com  
ethan.fitzgerald@ropesgray.com

Daniel V. Ward  
(admitted *pro hac vice*)  
Katherine M. McDonald  
(admitted *pro hac vice*)  
**ROPES & GRAY LLP**  
Prudential Tower  
800 Boylston Street  
Boston, Massachusetts 02199-3600  
Phone: (617) 951-7000  
Fax: (617) 951-7050  
daniel.ward@ropesgray.com  
katherine.mcdonald@ropesgray.com

*Counsel for Petitioner AMLQ Holdings  
(Cay), Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically on March 14, 2023  
Notice of this filing will be sent to all counsel of record through the Court's electronic notice  
system.

/s/ Michael N. Ungar

*Counsel for Petitioners Telecom Business  
Solution, LLC and LATAM Towers, LLC*